

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

KATHY D. MOOREHEAD

Plaintiff

v.

No. 1:06CV42-MPM-EMB

**JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY**

Defendant

ORDER

By Order dated January 22, 2007, plaintiff was ordered to show cause why this case should not be dismissed for her failure to file a brief in support of the Complaint as directed by the Court in a May 10, 2006 Order. In response to the Show Cause Order, counsel for plaintiff indicates he did not receive notice of the May 2006 Order because his firm had failed to meet the requirements for electronic filing with this Court. Accordingly, the Court finds plaintiff's failure to prosecute and her failure to obey an Order of the Court are a direct result of her attorney's failure to comply with the rules and procedures of this Court. However, due to the nature of the allegations made in the Complaint and the fact that counsel has now met the necessary requirements for electronic filing with this Court, justice would best be served by allowing the plaintiff to proceed with her case.

THEREFORE, IT IS ORDERED that plaintiff shall file her brief on or before February 26, 2007. Defendant shall file a response on or before March 26, 2007. Any rebuttal by plaintiff shall be filed on or before April 2, 2007. No further extensions shall be permitted.

THIS, the 13th day of February, 2007.

**/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE**